

Appl. No. 10/788,963
Amdt. dated March 2, 2005
Reply to Office Action of December 15, 2004

REMARKS/ARGUMENTS

Claim 1 - 13 are in the application for consideration. Reconsideration of the application is requested in view of statements appearing below herein.

1. The specification has been amended to update the status of two co-pending applications.

2. New claims 12 and 13 have been added to the application. These claims are directed to preferred embodiments of applicants' imaging method and imaging member, respectively, and are fully supported by the disclosure of the application as originally filed.

3. Claim 10 has been amended to make it dependent upon claim 9.

4. Claims 1 - 11 have been rejected 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,390,616 ("Sato et al '616") or U.S. Patent 4,436,920 ("Sato et al. '920"). In support of the rejection the examiner has stated (column citation of the '616 patent)

Sato et al disclose an image recording material comprising a compound meeting the instant claim limitations in a color photographic material. The compounds in column 9 appear to meet the claim limitations.

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Applicants traverse these grounds of rejection. The references do not specifically teach the compounds recited in the present claims.

The compounds recited in present claim 1 differ from those taught by Sato et al. '616 and Sato et al. '920. The '920 patent is a division of the '616 patent and has the identical disclosure. In the generic formula (I) (column 3 of the '616 reference) the left side ring of the fused ring system has an -N(Ar)(Ar') substituent. The Ar and Ar' groups can be the same or different and

can each represent an aryl group or a heterocyclic ring, or Ar and Ar' taken together can form a heterocyclic ring

Examples of heterocyclic rings which can be formed by the linking of Ar and Ar' together include a carbazole, a phenoxazine, a phenothiazine, and a phenazine (see column 4, lines 17 - 38. Specific compounds having heterocyclic rings in which Ar and Ar' are linked together are shown in column 9 (compounds 24 - 27). In compounds 24 and 25 the heterocyclic ring formed by the linkage of Ar and Ar' is a carbazole and in compounds 26 and 27 a phenothiazine.

In all the general types of heterocyclic ring structures disclosed, as referred to above, and in the specific compound examples illustrated, both bonds of the nitrogen atom in the heterocyclic moiety are attached to aryl groups. Further, throughout the

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specification the compounds of Sato et al. are referred to as diarylamino compounds. See, for example, column 4, line 64; column 5, lines 20 and 30; and column 10, lines 11 and 12. Thus, the entire teaching of Sato et al. '616 is directed to diarylamino compounds.

The compounds of applicants are not diarylamino compounds. The claimed compounds include an indoline ring system. In this fused ring system only one bond of the nitrogen atom is connected to an aryl ring; a second bond of the nitrogen atom is connected to an alkyl group. Applicants' compounds are therefore monoarylamino in comparison to the diarylamino compounds disclosed by Sato et al.

Claim 2 is dependent on claim 1 and recites preferred compounds according to the invention. Claims 3- 6 are drawn to imaging members which include the compounds as defined in claim 1. Claims 7 - 11 are drawn to an imaging method which utilizes the imaging member of Claim 3.

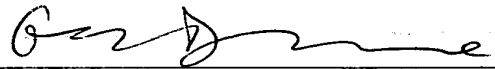
In view of the foregoing reasons it is apparent that the Sato et al. references do not specifically teach applicants' claimed compounds. Further, there is no teaching or suggestion in these references which would render the compounds obvious to those skilled in the art.

Reconsideration of these grounds of rejection and withdrawal thereof are respectfully requested.

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In summary the claimed subject matter has been shown to be wholly novel and patentable over the references of record. Reconsideration of the application and allowance of the claims are respectfully solicited.

Respectfully submitted,




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Date: March 2, 2005



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